IN THE HIGH COURT OF GUJARAT AT AHMEDABAD

SPECIAL CIVIL APPLICATION No 6592 of 1990

For Approval and Signature:

Hon'ble MR.JUSTICE R.K.ABICHANDANI

==========

1. Whether Reporters of Local Papers may be allowed to see the judgements? : YES

2. To be referred to the Reporter or not? : NO

3. Whether Their Lordships wish to see the fair copy of the judgement? : NO

4. Whether this case involves a substantial question of law as to the interpretation of the Constitution of India, 1950 of any Order made thereunder? : NO

5. Whether it is to be circulated to the Civil Judge? : NO

ROHISHALA JUTH MATSYODYOG SAHAKARI MANDLI LTD

Versus

STATE OF GUJARAT

Appearance:

MR KETAN DAVE for MR HAROOBHAI MEHTA for Petitioners

MR L.R. PUJARI, ASSTT. GOVERNMENT PLEADER for Respondent No. 1

NOTICE SERVED for Respondent No. 2

MR MD PANDYA for Respondent No. 4

CORAM : MR.JUSTICE R.K.ABICHANDANI

Date of decision: 30/06/2000

ORAL JUDGEMENT (Per R.K.Abichandani,J.)

The petitioner challenges the Notification dated 20.1.1978 at Annexure "A" to the petition, issued by the Additional District Magistrate, Bhavnagar, under Section

33(m) of the Bombay Police Act, 1951, by which the Additional District Magistrate had prohibited fishing activities in the radius of 5 K.M in Shetrunji Reservoir. When this petition is called out for final hearing, the learned Assistant Government Pleader appearing for the respondents states that the State Government has taken a policy decision of allowing fishing activities in such reservoirs and that in view of that policy decision, the Notification dated 20.1.1978 does not now survive. In view of the statement, it is clear that the Notification dated 20.1.1978 no more survives and therefore, the petition has become infructuous. Rule is therefore, discharged with no order as to costs, with liberty to move in case of difficulty. Interim relief stands vacated.

---

*/Mohandas